

GENERAL ORDERS, }
No. 109. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, April 29, 1863.

I.. Before a General Court Martial, which convened at Fort Richardson, Virginia, January 29, 1863, pursuant to Orders, No. 7, dated Headquarters, Artillery Defences of Alexandria, near Fort Ward, January 21, 1863, and of which Lieutenant Colonel N. L. WHITE, 1st Connecticut Volunteer Artillery, is President, was arraigned and tried—

Lieutenant *La Fayette Butler*, 34th Massachusetts Volunteers.

CHARGE.—“Conduct prejudicial to good order and military discipline.”

Specification 1st—“In this; that 1st Lieutenant *La Fayette Butler*, 34th Massachusetts Infantry, while on duty as ‘officer of the guard,’ did improperly communicate the countersign to certain enlisted men, viz: Sergeants Clark and Pomeroy, Company ‘B,’ of said Regiment, said Sergeants not belonging to the guard. This at or near Fort Lyon, Virginia, January 3, 1863.”

Specification 2d—“In this; that 1st Lieutenant *La Fayette Butler*, 34th Massachusetts Infantry, did, contrary to General Orders and camp rules, give permission to said Sergeants to leave camp and remain absent until after ‘taps,’ and did excuse said Sergeants from evening roll-call, making improper use of the countersign in order to enable them to evade said rules and regulations. This at or near Fort Lyons, Virginia, January 3, 1863.”

Specification 3d—“In this; that 1st Lieutenant *La Fayette Butler*, 34th Massachusetts Infantry, though well knowing that by General Orders no soldier is permitted to leave camp without a pass, properly signed, did contrive with said Sergeants, viz: Sergeants Clark, Pomeroy, and Mitchell, to enable them to evade said orders, by communicating to them the countersign, by means of which, and with the full knowledge and consent of said Lieutenant *La Fayette Butler*, said Sergeants did wilfully disobey said rules and regulations. All this at Fort Lyon, Virginia, January 3, 1863.”

To which charge and specifications the accused, Lieutenant *La Fayette Butler*, 34th Massachusetts Volunteers, pleaded "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Lieutenant *La Fayette Butler*, 34th Massachusetts Volunteers, as follows :

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, 1st Lieutenant *La Fayette Butler*, 34th Massachusetts Volunteers, "*To be cashiered.*"

II..The foregoing proceedings have been approved by the Major General commanding the Department; but on the recommendation of all the members of the Court, the sentence has been suspended, under the 89th Article of War, until the pleasure of the President of the United States shall be made known.

The President directs that the sentence be remitted. Lieutenant *Butler* will accordingly be restored to duty.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Assistant Adjutant General.